

## UNITED STATES DISTRICT COURT

for the

Northern District of California

**FILED**

Oct 18 2023

Mark B. Busby

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

United States of America

v.

ANGIE LIZBETH CRUZ-CHAVEZ

Case No. 3:23-mj-71566 MAG

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 26, 2023 in the county of San Francisco in the  
Northern District of California, the defendant(s) violated:*Code Section*

21 U.S.C. §§ 841(a)(1), (b)(1)(C)

*Offense Description*Possession with Intent to Distribute a Federally Controlled Substance  
(Fentanyl)

## Maximum Penalties:

20 Years Imprisonment

\$1,000,000 Fine

Minimum 3 Years Supervised Release; Maximum Life  
Forfeiture

This criminal complaint is based on these facts:

See Affidavit.

☒ Continued on the attached sheet.Approved as to form /s/  
AUSA David J. Ward/s/ Joao Paulo Kрева*Complainant's signature*Joao Paulo Kрева, Special Agent, DEA*Printed name and title*

Sworn to before me by telephone.

Date: 10/18/2023City and state: San Francisco, CA  
*Judge's signature*Hon. Lisa J. Cisneros, U.S. Magistrate Judge*Printed name and title*

Print

Save As...

Attach

Reset

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR AN**  
**ARREST WARRANT AND CRIMINAL COMPLAINT**

I, Joao Paulo Kreva, a Special Agent (SA) of the Drug Enforcement Administration (DEA) having been duly sworn, hereby depose and state as follows:

**INTRODUCTION**

1. I make this affidavit in support of an application for an arrest warrant and criminal complaint charging ANGIE LIZBETH CRUZ-CHAVEZ with possession with intent to distribute fentanyl (N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide), in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), occurring on or about September 26, 2023, in San Francisco, California, in the Northern District of California.

**SOURCES OF INFORMATION**

2. The facts in this affidavit come from my personal observations, my training and experience, information from records and databases, and information obtained from other agents, officers, and witnesses. Where statements made by other individuals (including other Special Agents and law enforcement officers) are referenced in this Affidavit, such statements are described in sum and substance and in relevant part. Similarly, where information contained in reports and other documents or records is referenced in this Affidavit, such information is also described in sum and substance and in relevant part.

3. Because this Affidavit is submitted for the limited purpose of establishing probable cause for a criminal complaint and arrest warrant, I have not included each and every fact known to me about this case. Rather, I have set forth only the facts that I believe are necessary to support probable cause for a criminal complaint and arrest warrant. My understanding of the facts and circumstances of the case may evolve as the investigation continues.

### **AFFIANT BACKGROUND**

4. I am presently employed by the DEA, San Francisco Divisional Office, as a Special Agent (SA), and have been so employed since September 2018. I am currently assigned to the Oakland Resident Office and have been so since June 2019. In addition, I serve as a Master at Arms Petty Officer in the United States Navy Reserves.

5. As a Special Agent of the DEA, I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). I am empowered by law to conduct investigations, to execute search warrants, and to make arrests for offenses of Federal law, including drug offenses. As a DEA Special Agent, I am authorized to investigate violations of United States law and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

6. I have received formal training at the DEA Training Center in Quantico, Virginia. This sixteen-week DEA Basic Agent Academy included instruction on, among other things, basic narcotic investigations, drug identification, drug detection, United States narcotics laws, money laundering techniques and schemes, identification and seizure of drug-related assets, undercover work, and physical and electronic surveillance operations.

7. Before joining the DEA, I worked as a Deportation Officer for Immigration and Customs Enforcement (“ICE”) in Lumpkin, Georgia for approximately one year. Prior to working for ICE, I worked as a Police Sergeant for the Veterans Affairs Police Department for approximately four years, and as a Patrol Sergeant for the Miccosukee Police Department in Miami, Florida for approximately eight years. During my 17-year career in law enforcement, I earned a Bachelor Degree in Criminal Justice and Law Enforcement Administration from Union Institute and University in 2011.

8. I was born in in Rio de Janeiro, Brazil and relocated to the United States in my teenage years. Portuguese was my first language. While attending school and receiving my education in the United States, I attended numerous classes and successfully passed several

courses related to the Spanish language. Moreover, I have earned the title of Linguist in the United States Army and United States Navy by taking several batteries of exams testing my proficiency in the Portuguese and Spanish languages. Furthermore, I have passed the Department of Homeland Security, Immigration and Customs Enforcement exam for Spanish proficiency, as well as the Department of Justice, Drug Enforcement Administration exams for proficiency and comprehension of the Portuguese and Spanish languages. In summary, I can speak, read and write fluently in both Portuguese and Spanish.

9. During my tenure with the DEA, I have participated in a variety of law enforcement actions. I have participated in debriefs of confidential sources and witnesses who had personal knowledge of criminal offenses. I have participated in many aspects of federal investigations including, but not limited to, physical surveillance and enforcement operations. I have also taken part in numerous narcotics investigations while assisting other local and federal agencies such as the Drug Enforcement Administration (DEA), Homeland Security Investigations (HSI), and the San Francisco Police Department (SFPD). These investigations involved reviewing police reports, reviewing body worn camera footage, collecting evidence, conducting interviews, executing search warrants, working with local and state partners, and arresting suspects. Moreover, I have assisted in the execution of federal search and arrest warrants related to illegal activities involving firearms trafficking and the illegal possession of firearms that resulted in the arrest of suspects and seizure of the illegally trafficked firearms. I have also taken part in multiple drug investigations and operations with the DEA and HSI's Transnational Narcotics Team.

10. Based on my training and experience, as well as conversations I have had with drug dealers, informants, and experienced law enforcement officers, I have become familiar with the practices of narcotics traffickers. Specifically, I am familiar with methods that traffickers use to smuggle, safeguard, transport, and distribute narcotics, and to collect and launder the proceeds of drug trafficking. These methods include the use of automobiles, wireless communications

devices (such as cellular phones), lookouts and counter surveillance, false or fictitious identities, coded language, and/or encrypted communications. I know that many drug traffickers use cell phones to facilitate their drug dealing activities, including to arrange the collection, transportation, and distribution of narcotics. I also know that many drug traffickers will meet in person at pre-arranged locations to conduct meetings and transactions in furtherance of their drug trafficking activities. Many drug dealers utilize such practices to commit crimes while avoiding detection by law enforcement.

11. I have also had discussions with other law enforcement officers and confidential informants about the packaging and preparation of narcotics, the methods of operation, and security measures that are often employed by narcotics traffickers. I have examined documentation of various methods in which fentanyl and methamphetamine and other illicit drugs are smuggled, transported, possessed with intent to distribute, and distributed.

12. I am familiar with the facts and circumstances of the investigation that forms the basis of this affidavit through my participation in it based on several investigative techniques, including discussions with agents and officers from other law enforcement agencies, and review of records and reports relating to the investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the statement is not being recounted verbatim but instead only in substance and in part. Facts not set forth herein, or in any attached exhibits, are not being relied on in reaching my conclusion that the requested order should be issued. Nor do I request that this Court rely on any facts not set forth herein in reviewing this application.

#### **APPLICABLE STATUTE**

13. **Possession of Controlled Substance with Intent to Distribute.** Under Title 21, United States Code, Section 841(a)(1), (b)(1)(C) it is unlawful for any person to knowingly or intentionally possess with intent to distribute a federally controlled substance. Under 21 C.F.R. § 1308.12, fentanyl is a Schedule II controlled substance.

### **STATEMENT OF PROBABLE CAUSE**

14. On September 26, 2023, CRUZ-CHAVEZ was arrested by SFPD officers at the entrance to the Civic Center BART Station at 1155 Market Street, in San Francisco, California, in the Northern District of California. I know from my training and experience, and from information I have received from other officers, and complaints from the community, that the area around 1155 Market Street is a notorious open-air drug market that operates at all hours of the day and is particularly active in the evening and overnight hours. Given the facts described below, I have probable cause to believe that CRUZ-CHAVEZ violated 21 U.S.C. §§ 841(a)(1), (b)(1)(C) based on her possession with intent to distribute fentanyl.

15. At approximately 1914 hours on September 26, 2023, SFPD Officer Hargreaves was conducting a narcotics-spotting operation in the area of 7th and Market Street. Ofc. Hargreaves observed a male wearing a black baseball hat, black sweatshirt, red backpack, and black pants approach a Hispanic female, later identified as CRUZ-CHAVEZ, at the top of the staircase leading into the Civic Center BART.

16. Ofc. Hargreaves observed CRUZ-CHAVEZ and the male engage in a short conversation, and then Ofc. Hargreaves observed CRUZ-CHAVEZ remove from her jacket pocket a plastic baggie containing a white powdery substance. Ofc. Hargreaves observed CRUZ-CHAVEZ then remove a black digital scale from her pocket and place some of the white powder on the scale. Ofc. Hargreaves could observe a blue glow emanating from the scale indicating that it was on. Ofc. Hargreaves then observed the male retrieve the substance from the scale and hand CRUZ-CHAVEZ an unknown amount of U.S. currency. CRUZ-CHAVEZ then retrieved the scale.

17. Ofc. Hargreaves believed he had witnessed a narcotics transaction. Ofc. Hargreaves then notified an SFPD arrest team, and provided them with a detailed description of CRUZ-CHAVEZ. At approximately 1937 hours, Sergeant Erb and Officer Morgan spotted CRUZ-CHAVEZ in front of 1100 Market Street. SFPD officers then arrested CRUZ-CHAVEZ,

and Ofc. Hargreaves responded to the area and confirmed that it was CRUZ-CHAVEZ who he had observed just engage in a narcotics sale transaction.

18. Officer Larot, another SFPD officer, responded to the scene and conducted an arrest search of CRUZ-CHAVEZ. Law enforcement recovered the following evidence from CRUZ-CHAVEZ's person and clothing:

- Suspected Fentanyl, 29.3 gg
- Suspected Methamphetamine in 1 tied plastic baggie, 16.7 gg
- Suspected Base Cocaine in 1 tied plastic baggie, 8.1 gg

Law enforcement personnel also seized the following items from the jacket and clothing that they had observed CRUZ-CHAVEZ wearing during the incident:

- One can OC (Pepper) Spray
- One folding knife
- Empty plastic baggies
- U.S. currency totaling \$347
- One counterfeit \$50 bill

19. The suspected fentanyl seized from CRUZ-CHAVEZ later tested presumptive positive for fentanyl utilizing a TruNarc testing device. The suspected Methamphetamine seized from HERNANDEZ's black bag later tested presumptive positive for Methamphetamine utilizing a TruNarc testing device. The suspected cocaine base seized from HERNANDEZ's black bag later tested presumptive positive for cocaine base utilizing a TruNarc testing device.

20. Based on my training and experience, the amounts and varieties of controlled substances that CRUZ-CHAVEZ had in her possession when arrested on September 26, 2023 were consistent with amounts possessed for distribution, as opposed to mere personal use. The digital scale and numerous plastic bags possessed by CRUZ-CHAVEZ were also indicia related to the sales of controlled substances. The location of the arrest in San Francisco's Tenderloin District, an area known for a high volume of drug sales activity, further supports this conclusion.

### **CONCLUSION**

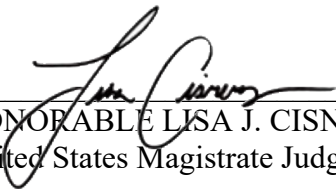
21. Based on my training and experience, and the facts and circumstances set forth above, I believe probable cause exists to believe that on September 26, 2023, in the Northern District of California, CRUZ-CHAVEZ possessed with the intent to distribute fentanyl, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C). Accordingly, I respectfully request that the Court issue a criminal complaint and a warrant for her arrest.

*/s/ Joao Paulo Kreva*

---

JOAO PAULO KREVA  
SPECIAL AGENT  
Drug Enforcement Administration

Sworn to before me over the telephone and signed by me pursuant to Fed. R. Crim. P. 4.1 and 4(d) on this 18th day of October 2023. This complaint and warrants are to be filed under seal.



---

HONORABLE LISA J. CISNEROS  
United States Magistrate Judge